

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 04-cv-1924-REB-OES

THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA, a foreign corporation,

Plaintiff,

v.

TRITON DEVELOPMENT, LLC, a Colorado corporation, et al.,

Defendants.

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**ORDER REOPENING CASE, DISMISSING CLAIMS  
AGAINST ROYAL, & CLOSING CASE ADMINISTRATIVELY**

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**Blackburn, J.**

This matter is before me on the following motions: 1. Royal's motion to reopen case [#31], filed November 2, 2005; and 2. Royal's motion to dismiss claims against Royal [#32], filed November 2, 2005. Both motions will be granted.

On September 26, 2005, I entered an order staying this case and closing this case administratively. I entered the stay and order of administrative closure in deference to a parallel proceeding in state court. The Denver District Court has entered an order granting summary judgment in favor of defendant Royal Indemnity Company, as successor in interest to Royal Insurance Company of America (Royal). The Denver District Court's order was certified as final, and no party has appealed that order within the time permitted for such an appeal. As to Royal, the Denver District Court's order resolves all of the claims asserted against Royal by the plaintiffs in this

case. On this basis, I conclude that the claims against Royal in this case must be dismissed. I note that the plaintiff has not filed a response to either Royal's motion to reopen or to Royal's motion to dismiss.

**THEREFORE, IT IS ORDERED** as follows:

1. That Royal's motion to reopen case [#31], filed November 2, 2005, is

**GRANTED;**

2. That under D.C.COLO.LCivR 41.2, this case is **REOPENED** for the purpose of dismissing the claims against defendant Royal Indemnity Company, as successor in interest to Royal Insurance Company of America (Royal);

3. That Royal's motion to dismiss claims against Royal [#32], filed November 2, 2005, is **GRANTED;**

4. That all claims asserted against defendant Royal in this action are

**DISMISSED WITH PREJUDICE;** and

5. That under D.C.COLO.LCivR 41.2, this case is **ADMINISTRATIVELY CLOSED**, subject to reopening under the terms of that rule and my September 26, 2005, order [#29] in this case.

Dated January 11, 2006, at Denver, Colorado.

**BY THE COURT:**

**s/ Robert E. Blackburn**  
**Robert E. Blackburn**  
**United States District Judge**